IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

A. O. NO. 396 OF 2001

Shree Sinnar Vyapari Sahakari
Bank Ltd. ... Appellant
VS.
State Bank of Hyderabad and ors. ... Respondent

M/s. Dhruva & Co., for respondent no.1. absent
Mr. Sachin Satpute i/b. M/s. Ashwinikumar & Co., for respondent no.2.
M/s. Little & Co., for respondent no.2 absent.

CORAM: D. G. KARNIK **J.**

DATE: 20th November 2006

P.C.:

1. Heard learned counsel for the appearing parties. This appeal is directed against the order dated 4th April 2001 passed by the learned Civil Judge, Senior Division, Nasik, directing the return of the plaint to the appellant – plaintiff for presentation before the tribunal (Debt Recovery Tribunal).
2. Learned counsel for the appellant states that the appellant does not wish to proceed with the appeal subject to the condition that the time for presentation of the plaint to the appropriate court is extended. Counsel appearing for the

respondent has no objection for the same. Hence appeal is disposed of . However, the time granted to the appellant for presentation of the plaint to the appropriate forum is extended by 8 weeks from today.

(D.G. KARNIK J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION
Civil application No. 453 of 2001
in
A. O. NO. 396 OF 2001

Shree Sinnar Vyapari Sahakari
Bank Ltd. ... Appellant
VS.
State Bank of Hyderabad and ors. ... Respondent

M/s. Dhruva & Co., for respondent no.1. absent
Mr. Sachin Satpute i/b. M/s. Ashwinikumar & Co., for respondent no.2.
M/s. Little & Co., for respondent no.2 absent.

CORAM: D. G. KARNIK **J.**

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In view of the disposal of the appeal this civil application does not survive and is disposed of.

(D.G. KARNIK J.)